

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

DICK DEE KNADLER

CIVIL ACTION NO. 17-0577

VERSUS

JUDGE ROBERT G. JAMES

DEPT. OF ARMY, ET AL.

**MAG. JUDGE CAROL B.
WHITEHURST**

JUDGMENT

For the reasons set forth in the Report and Recommendation of the Magistrate Judge [Doc. No. 13], and after a *de novo* review of the entire record, including Plaintiff's objection, and concurring with the Magistrate Judge's findings under applicable law,

IT IS ORDERED, ADJUDGED, AND DECREED that the Motion for Remand and Stay [Doc. No. 6] is GRANTED, and this proceeding is REMANDED to The Army Board for Correction of Military Records ("ABCMR") for reconsideration of all of Plaintiff's claims.

IT IS FURTHER ORDERED that the Clerk of Court administratively STAY this action until the ABCMR renders a decision and provides a detailed, supported, and reasoned explanation for its decision.

IT IS FURTHER ORDERED that Plaintiff may submit an application to the ABCMR, as well as any and all evidence that he chooses to present, within thirty (30) days of the date of this Judgment.

IT IS FURTHER ORDERED that the ABCMR endeavor to render a decision within one hundred eighty (180) days of the date Plaintiff submits his application and evidence. The ABCMR shall consider the complete record, including all admissible evidence Plaintiff chooses to present.

IT IS FURTHER ORDERED that Defendants shall file a report on the status of the proceeding before the ABCMR within one hundred eighty (180) days of the date Plaintiff submits his application and evidence.

IT IS FURTHER ORDERED that the parties shall, within thirty (30) days after the ABCMR renders a decision, file a copy of the ABCMR decision and a joint status report setting forth the parties' respective positions concerning whether this proceeding is moot or should be reinstated.

IT IS FURTHER ORDERED that the Clerk of Court certify a copy of this Judgment and forward the certified copy to the ABCMR.

MONROE, LOUISIANA, this 14th day of December, 2017.



ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE